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**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:10-cv-03320-AKH**

Fox News Network, LLC v. Board of Governors of the Federal Reserve System

Assigned to: Judge Alvin K. Hellerstein

Related Case: [1:09-cv-00272-AKH](#)

Cause: 05:552 Freedom of Information Act

Date Filed: 04/20/2010

Date Terminated: 03/23/2011

Jury Demand: None

Nature of Suit: 895 Freedom of Information Act

Jurisdiction: Federal Question

Plaintiff

Fox News Network, LLC

represented by **Steven Glen Mintz**

Mintz & Gold LLP

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

V.

Defendant

Board of Governors of the Federal Reserve System

represented by **Tara Marie La Morte**

U.S. Attorney's Office, SDNY (Chambers Street)

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*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
04/20/2010	<u>1</u>	COMPLAINT against Board of Governors of the Federal Reserve System. (Filing Fee \$ 350.00, Receipt Number 901346)Document filed by Fox News Network, LLC. (mbe) (Entered: 04/23/2010)
04/20/2010		SUMMONS ISSUED as to Board of Governors of the Federal Reserve System. (mbe) (Entered: 04/23/2010)
04/20/2010		CASE REFERRED TO Judge Alvin K. Hellerstein as possibly related to 1:09-cv-00272. (mbe) (Entered: 04/23/2010)
04/20/2010		Case Designated ECF. (mbe) (Entered: 04/23/2010)
04/20/2010	<u>2</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Fox Business Network as Corporate Parent. Document filed by Fox News Network, LLC.(mbe) (Entered: 04/23/2010)
04/23/2010	<u>3</u>	AFFIDAVIT OF SERVICE. Board of Governors of the Federal Reserve System served on 4/20/2010, answer due 5/11/2010. Service was accepted by U.S. Attorney Civil Processing Clerk. Document filed by Fox News Network, LLC. (Ostensen, Paul) (Entered: 04/23/2010)
04/23/2010	<u>4</u>	AFFIDAVIT OF SERVICE. Service was made by Mail. Document filed by Fox News Network, LLC. (Ostensen, Paul) (Entered: 04/23/2010)
05/04/2010		CASE ACCEPTED AS RELATED. Create association to 1:09-cv-00272-AKH. Notice of Assignment to follow. (jnm) (Entered: 05/05/2010)
05/04/2010	<u>5</u>	NOTICE OF CASE ASSIGNMENT to Judge Alvin K. Hellerstein. Judge Unassigned is no longer assigned to the case. (jnm) (Entered: 05/05/2010)
05/04/2010		Magistrate Judge Kevin N. Fox is so designated. (jnm) (Entered: 05/05/2010)

05/07/2010	<u>6</u>	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Tara M. Lamorte dated 5/6/10 re: counsel for defendant writes respectfully on behalf of both parties to request that the Court schedule an initial conference in this matter. ENDORSEMENT: the parties, through counsel, shall meet with me at conference May 21, 2010, at 10:00 a.m. (Signed by Judge Alvin K. Hellerstein on 5/7/10) (pl). (Entered: 05/07/2010)
05/13/2010	<u>7</u>	AMENDED COMPLAINT amending <u>1</u> Complaint against Board of Governors of the Federal Reserve System.Document filed by Fox News Network, LLC. Related document: <u>1</u> Complaint filed by Fox News Network, LLC.(rdz) (rdz). (Entered: 05/17/2010)
05/20/2010	<u>8</u>	MOTION to Dismiss for Lack of Jurisdiction. Document filed by Board of Governors of the Federal Reserve System. (Attachments: # <u>1</u> Affidavit of Jeanne M. McLaughlin with Exhibits)(La Morte, Tara) (Entered: 05/20/2010)
05/20/2010	<u>9</u>	MEMORANDUM OF LAW in Support re: <u>8</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Board of Governors of the Federal Reserve System. (La Morte, Tara) (Entered: 05/20/2010)
05/21/2010		Minute Entry for proceedings held before Judge Alvin K. Hellerstein: Status Conference held on 5/21/2010. Status Conference set for 9/17/2010 at 10:00 AM before Judge Alvin K. Hellerstein. (tro) (Entered: 05/27/2010)
06/01/2010	<u>10</u>	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Tara LaMorte dated 5/24/10 re: Request that the parties agreement made at the initial status conference on 5/21/10 be approved: The Board hereby withdraws its pending motion to dismiss, or in the alternative, motion for a stay, and as further set forth in this document. ENDORSEMENT: So Ordered. Board of Governors of the Federal Reserve System answer due 6/11/2010. (Status Conference set for 9/17/2010 at 10:00 AM before Judge Alvin K. Hellerstein.) (Signed by Judge Alvin K. Hellerstein on 6/1/10) (cd) Modified on 6/8/2010 (cd). (Entered: 06/01/2010)
06/11/2010	<u>11</u>	ANSWER to Amended Complaint. Document filed by Board of Governors of the Federal Reserve System. Related document: <u>7</u> Amended Complaint filed by Fox News Network, LLC.(La Morte, Tara) (Entered: 06/11/2010)
09/14/2010	<u>12</u>	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Steven G. Mintz dated 9/13/10 re: Request for an extension of time of the status conference until 10/1/10. ENDORSEMENT: The conference is adjourned to October 8, 2010, 10:00 am. (Status Conference set for 10/8/2010 at 10:00 AM before Judge Alvin K. Hellerstein.) (Signed by Judge Alvin K. Hellerstein on 9/14/10) (db) (Entered: 09/14/2010)

10/05/2010	<u>1</u> <u>3</u>	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Steven G. Mintz dated 10/1/2010 re: Requesting an adjournment of the status conference scheduled for October 8, 2010. ENDORSEMENT: Conference adjourned to December 10, 2010 at 10:00 am. (Signed by Judge Alvin K. Hellerstein on 10/4/2010) (jpo) (Entered: 10/05/2010)
01/31/2011	<u>1</u> <u>4</u>	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Tara M. Lamorte dated 1/26/11 re: The Board's motion concerning Exemption 8, if any, would be filed on March 4, 2011. Fox's opposition would be due on March 25, 2011, and the Board's reply due on April 6, 2011. The parties would be available for oral argument the week of April 25 (except April 25th) or the week of May 2. ENDORSEMENT: So Ordered. Oral Argument will be held May 3, at 3:00 pm. (Motions due by 3/4/2011. Responses due by 3/25/2011. Replies due by 4/6/2011. Oral Argument set for 5/3/2011 at 03:00 PM before Judge Alvin K. Hellerstein.) (Signed by Judge Alvin K. Hellerstein on 1/27/11) (db) (Entered: 01/31/2011)
03/15/2011	<u>1</u> <u>5</u>	NOTICE: You are hereby notified that you are required to appear for a status conf. on 4/15/2011 at 10:00 am, Place: U.S. Courthouse-Southern District of New York, 500 Pearl Street, Courtroom 14D, New York, New York 10007. It is ORDERED that counsel to whom this Order is sent is responsible for faxing a copy to all counsel involved in this case and retaining verification of such in the case file. Do not fax such verification to Chambers. SO ORDERED. (Status Conference set for 4/15/2011 at 10:00 AM in Courtroom 14D, 500 Pearl Street, New York, NY 10007 before Judge Alvin K. Hellerstein) (Signed by Judge Alvin K. Hellerstein on 3/15/2011) (lnl) (Entered: 03/15/2011)
03/23/2011	<u>1</u> <u>6</u>	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Steven G. Mintz dated 3/22/2011 re: Requesting that the Court so-order the enclosed stipulations between the parties which resolve the outstanding issues in both actions and provide for the timing for Fox News's possible motions for attorney's fees, under 5 U.S.C.552 (a)(4)(E). In addition, we request that the Court cancel the status conference in Fox II that is scheduled for April 15, 2011. ENDORSEMENT: Canceled. Your filing of the stipulations ordered this date, and except for a motion regarding attorneys' fees, the Clerk shall close the file. (Signed by Judge Alvin K. Hellerstein on 3/23/2011) (jpo) (Entered: 03/23/2011)
05/10/2011	<u>1</u> <u>7</u>	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein, from Steven G. Mintz dated 5/9/2011 re: The parties respectfully request that Your Honor so-order the enclosed judgment in Fox I. ENDORSEMENT: So Ordered. (Signed by Judge Alvin K. Hellerstein on 5/10/2011) (jfe) Modified on 5/16/2011 (jfe). (Entered: 05/11/2011)
06/17/2011	<u>1</u> <u>8</u>	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Steven G. Mintz dated 6/16/11 re: Request for an extension of the deadline within which the plaintiff must file its fee motions under section 552(A)(4)(E) of FOIA. The motions are currently due to be filed on or before July 8, 2011. The parties respectfully request that the deadline be adjourned until August 11, 2011. ENDORSEMENT: So ordered. (Motions due by 8/11/2011.) (Signed by Judge Alvin K. Hellerstein on

		6/17/11) (rjm) (Entered: 06/17/2011)
08/04/2011	<u>1</u> <u>9</u>	STIPULATION AND ORDER OF SETTLEMENT: IT IS HEREBY STIPULATED AND AGREED, by and between the parties, through their respective counsel, as follows: The Board shall pay to Fox Business the sum of \$10,000.00 in attorneys' fees and litigation costs, pursuant to 5 U.S.C. § 552(a)(4)(E), which sum Fox Business and its counsel agree to accept as full payment of any attorneys' fees and costs Fox Business has incurred with respect to this action. The Board agrees to begin processing the payment of fees immediately upon the entry of this Stipulation and Order and its receipt from Fox Business of the completed Federal Reserve Supplier Information Form and W-9, and to make payment as soon as practicable thereafter. This action is hereby dismissed with prejudice, provided that the Court shall retain jurisdiction over any issues that may arise relating to this Stipulation and Order; as further set forth in this Stipulation and Order of Settlement. (Signed by Judge Alvin K. Hellerstein on 8/2/2011) (mro) (Entered: 08/04/2011)

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